

IN RE: PETITION FOR VARIANCE
NW/S Pulaski Highway, 640' NE of
Batavia Farms Road
(8226 Pulaski Highway)
15th Election District
5th Council District

8226 Pulaski Group, LLC,
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-222-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, 8226 Pulaski Group, LLC, and the Contract Purchaser/Lessee, P.L. King Enterprises, Inc., through their attorney David F. Mister, Esquire. The Petitioners request variance relief from Section 238.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front property line setback on a dual highway of 38 feet in lieu of the required 50 feet and a side yard setback to an internal lot line of 0 feet in lieu of the required 30 feet for the existing building and proposed addition. The subject property and requested relief are more particularly shown on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Paul L. King, Principal of P.L. King Enterprises, LLC, Contract Purchasers/Lessees of the subject property; J. Scott Dallas, the Property Line Surveyor who prepared the site plan for this property; and, David F. Mister, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel, which abuts Pulaski Highway to the front and Old Philadelphia Road to the rear, and is located just west of Hanzlik Avenue in Rosedale. The property is actually comprised of two parcels, which contain a combined area of 0.88 acres, more or less, split zoned B.R.-A.S. and B.L. The first parcel, known as 8226 Pulaski Highway, is improved with a 40' x 40' one-story block

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Date 2/25/12

By [Signature]

building, which houses the business known as King's Liquors, and several small storage buildings to the rear. Apparently, a liquor store has existed on the property for nearly 50 years; however, Mr. King has owned and operated his business on the property for the past 13 years. Obviously, the business involves the sale of beer, wine and distilled spirits, and also offers incidental sales and services, such as the Lottery, check cashing, etc.

The second parcel is located immediately adjacent to the subject property and is known as 8228 Pulaski Highway. That parcel is improved with a building that was previously used as a restaurant; however, the last restaurant operation closed approximately three years ago. It is also to be noted that there exists a 20-foot wide private road that straddles the common lot line between the two parcels. The general public has used this road for many years as a means of quick access between Old Philadelphia Road to the north and Pulaski Highway to the south. Apparently, it has served as a cut-through to link traffic between these two roads, although it is not a public road nor was it designed for this volume of traffic. In any event, Mr. King recently purchased the second parcel to expand his liquor store. It was indicated at the hearing that the addition is necessary to provide more storage and retail space for Mr. King's business. As more particularly shown on the plan, Mr. King proposes to raze the old restaurant building and construct a one-story, 60' x 40' addition to the liquor store. The location of the proposed addition is such that it straddles the internal property line that separates the two parcels. However, as noted above, both parcels are now under common ownership of Mr. King and effectively will be used in the future as one tract.

Mr. King and Mr. Dallas offered significant testimony at the hearing regarding the design and location of the proposed addition. As the plan shows, the addition will be constructed in a manner so as to maintain the same architectural line and features of the existing building, which is situated at an angle to Pulaski Highway and not precisely parallel with that roadway. In order to accommodate the usable internal floor plan and avoid existing utilities, the addition will be constructed to continue that line.

Variance relief is requested so as to permit a front setback of 38 feet from the corner of the proposed addition to the right-of-way for Pulaski Highway. It is to be noted that this setback is

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Date 2/25/12
By [Signature]

entirely consistent with neighboring properties. Immediately east of the subject site is a building which is setback 35 feet from the Pulaski Highway right-of-way. Variance relief is also sought in that the proposed addition will straddle the internal property line and the existing structure apparently immediately abuts the westernmost property line. Thus, variance relief is necessary to permit a 0 feet setback for both the existing and proposed improvements.

Mr. King testified about the subject site and offered details as to the proposed operation. Additionally, Mr. Dallas offered testimony as to the layout of the proposed addition. This testimony and the exhibits offered at the hearing, including photographs and a petition signed by neighboring property owners, was submitted. Collectively, this testimony was persuasive to a finding that variance relief should be granted. In this regard, the Petitioner has complied with the requirements of Section 307 of the B.C.Z.R. It is clear that the property is unique, given its configuration and the location and orientation of existing improvements. This uniqueness drives the need for the requested variances. Moreover, a denial of the relief requested would result in a practical difficulty upon the Petitioners. Finally, it is clear that the proposed construction will not be detrimental to the surrounding locale. In this regard, the proposal is endorsed by Baltimore County's Office of Economic Development. This appears to be an appropriate expansion of an existing business.

As noted above, there were no Protestants at the hearing, and no adverse Zoning Advisory Committee comments submitted by any County reviewing agency. The Office of Planning did request that building elevation drawings of the proposed addition be submitted for their review and approval. Obviously, the design of the proposed addition should be in keeping with the character of the existing building and the general commercial architecture in the area. They also requested that a landscape plan be submitted. In this regard, it is recognized that a certain amount of landscaping along the front of the property may be appropriate to improve the general appearance. However, I am not inclined to require the Petitioners install significant landscaping. The nature of the business is such that matters of security are of paramount concern. Obviously, the business is a cash operation and visibility to the interior of the store from Pulaski

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Date

By

Highway is important. Perhaps the installation of some low-level shrubs might be appropriate to "dress up" the site. However, any landscaping should be cognizant of the Petitioners' need to provide easy access and visibility to the site. /

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

WHEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of February, 2002 that the Petition for Variance seeking relief from Section 238.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front property line setback on a dual highway of 38 feet in lieu of the required 50 feet for a proposed addition, and a side yard setback to an internal lot line of 0 feet in lieu of the required 30 feet for the existing commercial building and proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioners shall submit building elevation drawings of the proposed addition and a landscape plan for review and approval by the Office of Planning. As noted within this opinion, the landscape plan should take into consideration the need for adequate visibility to the interior of the business for security reasons. Some low-level shrubs might be sufficient to soften the exterior of the building and insure visibility and easy access from Pulaski Highway.
- 3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 2/25/02
By LES LES:bjs



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 25, 2002

David F. Mister, Esquire
Mister, Winter & Bartlett, LLC
30 E. Padonia Road, Suite 404
Timonium, Maryland 21093

RE: PETITION FOR VARIANCE
NW/S Pulaski Highway, 640' NE of the c/l Batavia Farms Road
(8226 Pulaski Highway)
15th Election District – 5th Councilmanic District
8226 Pulaski Group, LLC - Petitioners
Case No. 02-222-A

Dear Mr. Mister:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Paul L. King, President, P.L. King Enterprises, Inc.
8226 Pulaski Highway, Baltimore Md. 21237
Mr. J. Scott Dallas, 13523 Long Green Pike, Baldwin, Md. 21013
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8226 Pulaski Highway

which is presently zoned BR-AS, RL

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 238.1 BCZ12

TO PERMIT AN EXISTING COMMERCIAL BUILDING WITH ADDITION TO HAVE A FRONT PROPERTY LINE SETBACK ON A DUAL HIGHWAY OF 38' AND A SIDEYARD SETBACK OF 0' IN LIEU OF THE REQUIRED 50' AND 30' RESPECTIVELY

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DISCUSSED AT THE HEARING

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

P.L. King Enterprises, Inc.

Name - Type or Print
By: *[Signature]*
Signature Paul L. King, President
8226 Pulaski Highway 410-686-2770
Address Telephone No.
Baltimore MD 21237
City State Zip Code

Attorney For Petitioner:

David F. Mister

Name - Type or Print

Signature

Mister, Winter & Bartlett, LLC

Company
30 E. Padonia Road, Suite 404 410-561-3000
Address Telephone No.
Timonium MD 21093
City State Zip Code

Case No. 02-222-A

REV 9/15/98

Legal Owner(s):

8226 Pulaski Group, LLC

Name - Type or Print
By: *[Signature]*
Signature Managing Member

Name - Type or Print

Signature

8226 Pulaski Highway 410-686-2770
Address Telephone No.
Baltimore MD 21237
City State Zip Code

Representative to be Contacted:

SEE LEFT (ATTORNEY)
~~Paul L. King~~

Name
~~8226 Pulaski Highway 410-686-2770~~
Address Telephone No.
~~Baltimore MD 21237~~
City State Zip Code

AND DAVID F. MISTER, ESQ.
SUITE 404, 30 E. PADONIA RD., TIMONIUM, MD 21093
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By CTM Date 11/27/01

ORDER RECEIVED FOR FILING

Date

By

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE

P.O. BOX 26

BALDWIN, MD 21013

(410) 817-4600

FAX (410) 817-4602

ZONING DESCRIPTION FOR #8226-8228 PULASKI HIGHWAY

BEGINNING at a point on the northwest side of Pulaski Highway, 150 feet wide, at the distance of 363 feet west of the center of Hanzlik Avenue, 30 feet wide, thence running with and binding along said Pulaski Highway the two following courses and distances:

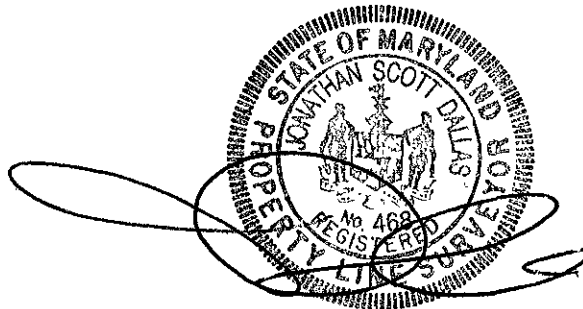
- (1) North 66 degrees 42 minutes East 78.45 feet and
- (2) Northeasterly by a curve with a radius of 25,389.79 feet for an arc length of 100 feet thence leaving said Pulaski Highway and running the two following courses and distances:
 - (3) North 24 degrees West 150.44 and
 - (4) North 10 degrees 40 minutes West 143.01 feet to intersect the southeast side of Old Philadelphia Road as widened, thence running with and binding along said Old Philadelphia Road
- (5) Southwesterly by a curve with a radius of 5025 feet for an arc length of 76.09 feet thence leaving said Old Philadelphia Road and running with and binding along the center of a 20 foot private road to be closed
- (6) South 11 degrees 17 minutes East 125 feet, more or less thence leaving the center of said 20 foot private road to be closed and running the two following courses and distances:
 - (7) South 78 degrees 57 minutes 68 feet and
 - (8) South 11 degrees 38 minutes East 201.07 feet to the place of beginning.

CONTAINING 38,309 square feet of land, more or less or **0.88** acres of land, more or less.

ALSO known as # 8226-8228 Pulaski Highway and located in the 15th Election District, 5th Councilmanic District.

Note: above description is based on existing deeds and plans only and is for zoning purposes only.

#222



OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

DATE 11/27/01 ACCOUNT R001 006 G150

AMOUNT \$ 250.00

RECEIVED FROM: CASH

FOR: 010 VARIANCE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
PAYMENT ACTUAL TIME
1/28/2001 11/27/2001 12:13:20
REC WSO1 CASHIER JRIC JNR DRAWER 1
RECEIPT # 073400 OFLN
Dept 5 529 ZONING VERIFICATION
CR NO. 008155

Recpt Tot 250.00
.00 CK 300.00 CA
50.00 CG
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows.

Case #02-222-A

8226 Pulaski Highway
NW/S Pulaski Highway, approximately 640' NE of
Batavia Farms Road

15th Election District - 5th Councilmanic District

Legal Owner(s): 8226 Pulaski Group LLC

Contract Purchaser: Paul L. King, P.L. King Enterprises, Inc.

Variance: to permit an existing commercial building with addition to have a front property line setback on a dual highway of 38 feet and a side yard setback of zero feet in lieu of the required 50 feet and 30 feet respectively.

Hearing: Thursday, February 7, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Planning Office at (410) 887-4386.

CERTIFICATE OF PUBLICATION

1/24, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/22, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

RE: Case No.: 02-222-APetitioner/Developer: KING, JETH4/0 D. MISTERDate of Hearing/Closing: 2/7/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens **GEORGE ZAHNER**

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at # 8226-PULASKI HWY.

The sign(s) were posted on

1/21/02

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 1/30/02

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)

Date	From	To	Phone #	Fax #
7671	O'KEEFE	D. MISTER	512-4621	666-8929
	Co.			
	Co./Dept.			
	Phone #			
	Fax #			

CASE # 02-222-A

A PUBLIC HEARING AND
THE ZONING BOARD
IN TOWSON, MD.

ROOM 407 COUNTY COURSE
PLACE: 8226 PULASKI AVENUE
TOWSON, MD 21204

DATE AND TIME: THURSDAY, FEBRUARY 7, 2002

REQUEST: VARIANCE TO PERMIT ADJACENT
COMMERCE AL BUILDING WITH ADJACENT TO BUILD A
FRONT PORCHES ON LOT 1.0000000000000000
OF 30' X 100' AND 100' X 100' SETBACKS OF 200'
FEET IN VIEW OF THE PROPOSED 60' X 100' LOT
RESPECTFULLY
B-1126 PULASKI HWY

NOTICE: THE BOARD OF ZONING ADJUSTMENTS
IS A PUBLIC BODY AND ITS MEETINGS ARE OPEN TO THE PUBLIC.
ANY PERSON DESIRING TO APPEAR AT A MEETING OF THE BOARD
SHOULD CONTACT THE BOARD SECRETARY AT 410-324-4100.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-222-A

Petitioner: P.L. KING ENTERPRISES, INC.

Address or Location: 8226 PULASKI HIGHWAY

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID F. MISTER, ESQ.

Address: SUITE 404, 30 E. PENNSYLVANIA ROAD
TIMONIUM, MD. 21093

Telephone Number: (410) 561-3000

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 22, 2002 Issue – Jeffersonian

Please forward billing to:
David F Mister, Esquire
Suite 404
30 E Padonia Road
Timonium MD 21093

410 561-3000

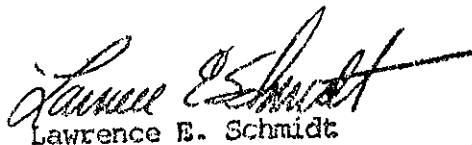
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-222-A
8226 Pulaski Highway
NW/S Pulaski Highway, approximately 640' NE of Batavia Farms Road
15th Election District – 5th Councilmanic District
Legal Owner: 8226 Pulaski Group LLC
Contract Purchaser: Paul L King, P. L. King Enterprises Inc

Variance to permit an existing commercial building with addition to have a front property line setback on a dual highway of 38 feet and a side yard setback of zero feet in lieu of the required 50 feet and 30 feet respectively.

HEARING: Thursday, February 7, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDL
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 14, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-222-A

8226 Pulaski Highway

NW/S Pulaski Highway, approximately 640' NE of Batavia Farms Road

15th Election District – 5th Councilmanic District

Legal Owner: 8226 Pulaski Group LLC

Contract Purchaser: Paul L King, P. L. King Enterprises Inc

Variance to permit an existing commercial building with addition to have a front property line setback on a dual highway of 38 feet and a side yard setback of zero feet in lieu of the required 50 feet and 30 feet respectively.

HEARING: Thursday, February 7, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon 672
Director

C: David F Mister, Mister Winter & Bartlett LLC, 30 E Padonia Road, Suite 404
Timonium 21093
8226 Pulaski Group, LLC, 8226 Pulaski Highway, Baltimore 21237
Paul L King, P. L. King Enterprises Inc, 8226 Pulaski Highway, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 23, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 1, 2002

Paul L King
P. L. King Enterprises Inc
8226 Pulaski Highway
Baltimore MD 21237

Dear Mr. King:

RE: Case Number: 02-222-A, 8226 Pulaski Highway

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 27, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G02
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: David F Mister, Mister Winter & Bartlett LLC, 30 E Padonia Road, Suite 404,
Timonium 21093
People's Counsel

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** January 24, 2002

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 7, 2002
Item Nos. 221, 222, 224, 225, 226, 227,
228, 229, 231, 232, 233, 234, 237, 239,
and 240

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 4, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 31, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

221, ~~222~~, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234,
235, 236, 237, 238, 239, and 240

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

file
2/7

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: January 8 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

JAN 9

SUBJECT: 8226 Pulaski Highway

INFORMATION:

Item Number: 02-222

Petitioner: P. L. King Enterprises, Inc.

Zoning: BR-AS, BL

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request providing the following are met:

1. Submit building elevation drawings, and a landscaping plan to this office for review and approval prior to the issuance of any building permits. Additionally, a revised plan indicating the terminus of the private road (to be closed) should be submitted to this office.

Prepared by: Martha Campbell

Section Chief: Jeffrey W. Long

AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 1-2-02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. ~~222~~ LTM

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 40, are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

h Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
8226 Pulaski Highway, NW/S Pulaski Hwy,
appx 640' NE of Batavia Farms Rd
15th Election District, 5th Councilmanic


Legal Owner: 8226 Pulaski Group, LLC
Contract Purchaser: P.L. King Enterprises, Inc.
Petitioner(s)

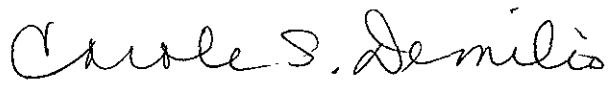
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-222-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to David F. Mister, Esq., Mister, Winter & Bartlett, 30 E. Padonia Road, Suite 404, Timonium, MD 21093, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

J. Scott Dallas

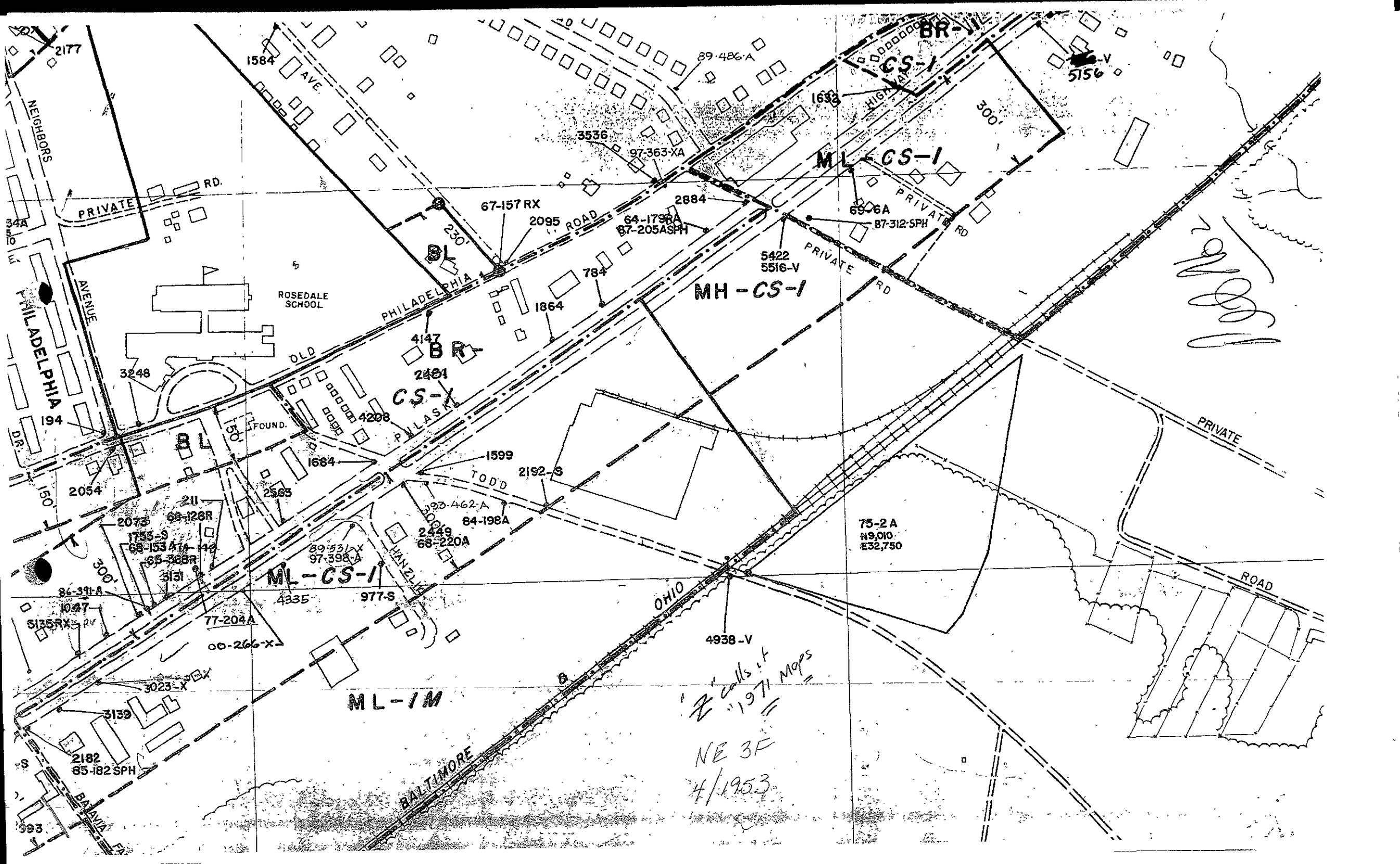
PAUL L. KING

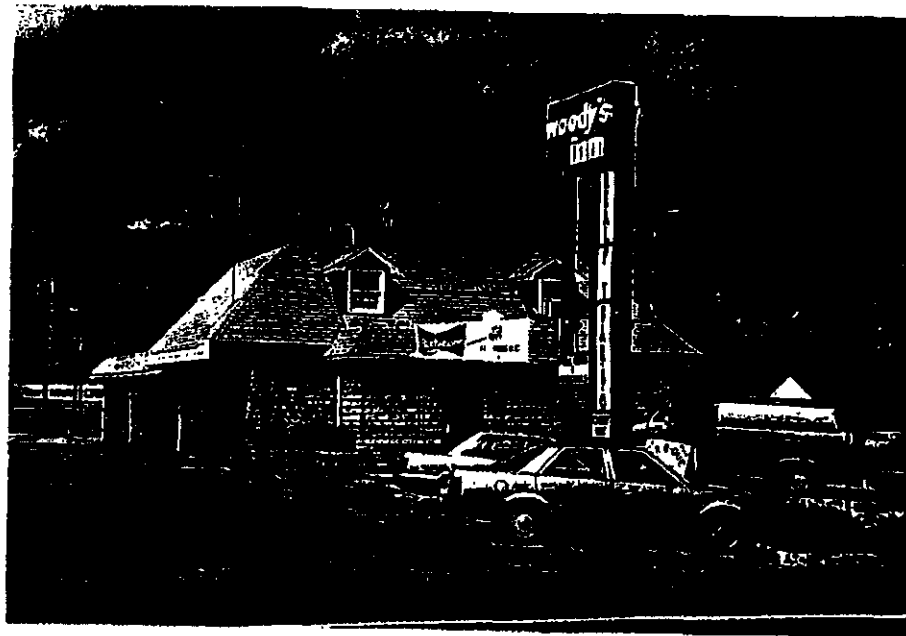
DAVID MISTEN - ATTN,

13523 Long Green Pike ^{Baldwin} ^{MD} 21013

8226 Pulaski Highway 21237





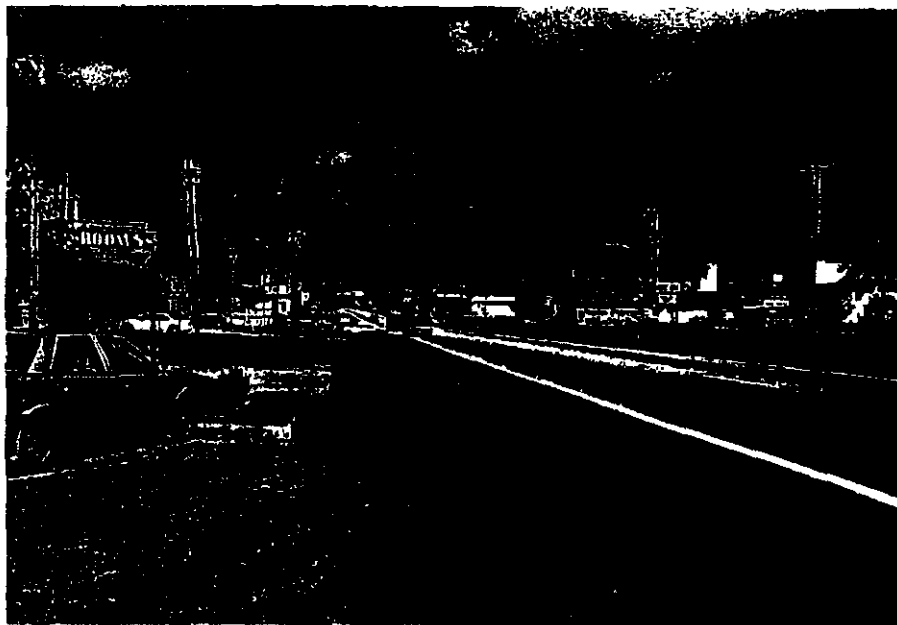
PHOTOGRAPHS

Subject Property - Front View
8228 Pulaski Highway



Subject Property - Rear View
8228 Pulaski Highway

Ref 3A

PHOTOGRAPHS, CONTD.

Street View - Pulaski Highway
Looking Northeast



Street View - Old Philadelphia Road
Looking Northeast

Feb 3B

**PETITION IN SUPPORT OF ZONING VARIANCE
FOR 8228 PULASKI HIGHWAY**

I, the undersigned resident and/or business owner, am in favor of and would support a variance for King's Liquors to expand the current business building, located at 8226 Pulaski Highway, onto 8228 Pulaski Highway, to be located as a 38 foot setback in lieu of the required 50 foot setback from Pulaski Highway; and expansion of their store across the lot line for a 0 foot setback. Said expansion will more adequately utilize the business premises, be set further back from the road than the existing building at 8228 Pulaski Highway, will create more easy access and flow of traffic, and will allow greater light and air to the surrounding building and properties.

PROPERTY OWNER/TENANT
NAME

ADDRESS

Rain Bow Lithography

8224 Pulaski Hwy
BAITIMORE, MD 21237

TRISTAR DRUGSTORE

8222 Pulaski Hwy
BALTO MD 21237

W.C. Chapman & Sons

8220 Pulaski Hwy
BALTO MD 21237

Chalk Equipment

8231 Pulaski Hwy
BALTO, MD, 21237

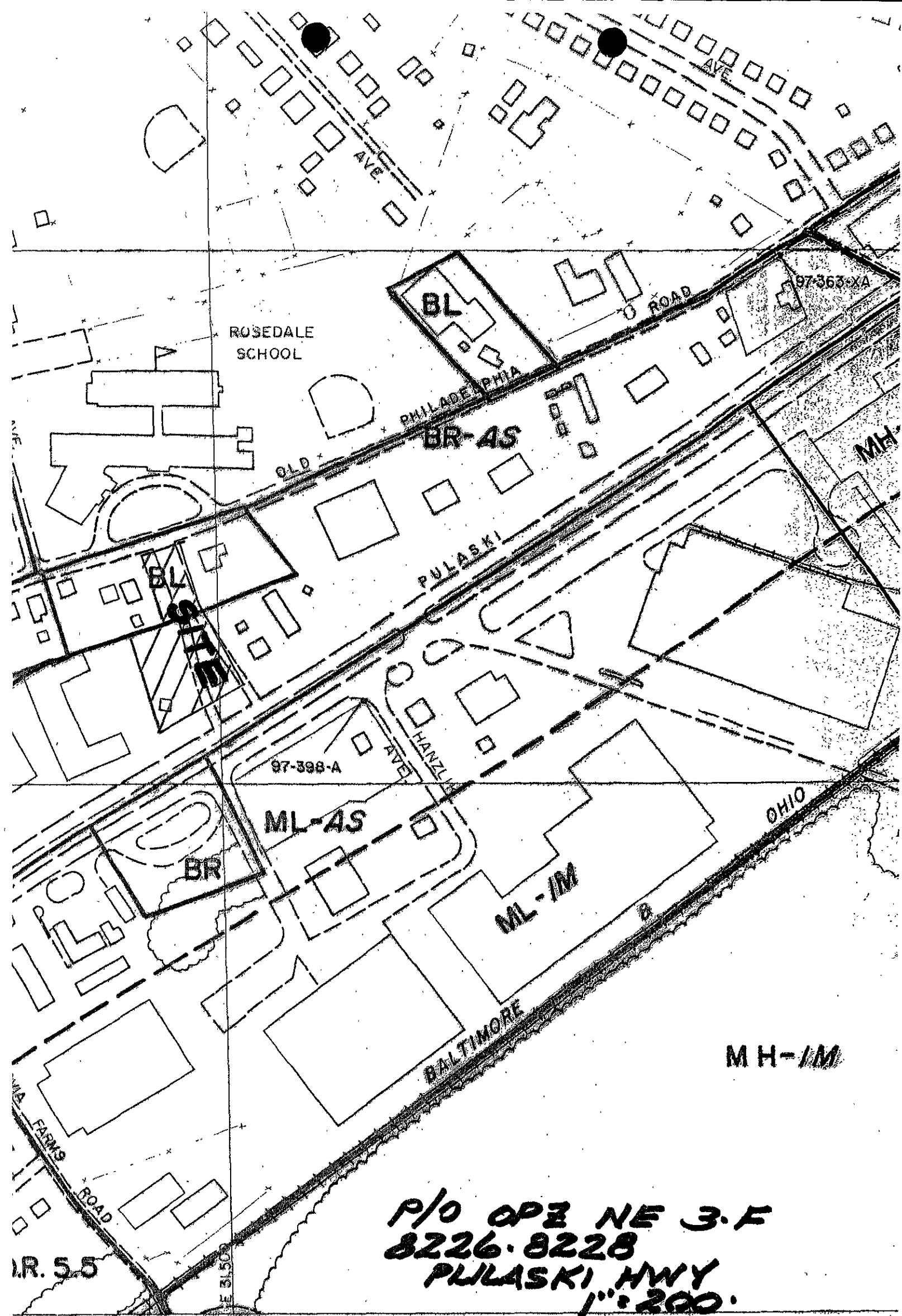
D.W. BARR Plumbing

8232 Pulaski Hwy
BALTO. MD. 21237

Ray Co. (Boys for Rent)

8230 Pulaski Highway
BALTO MD 21237

Red No
4



1996 COMPREHENSIVE ZONING MAP

ADOPTED by

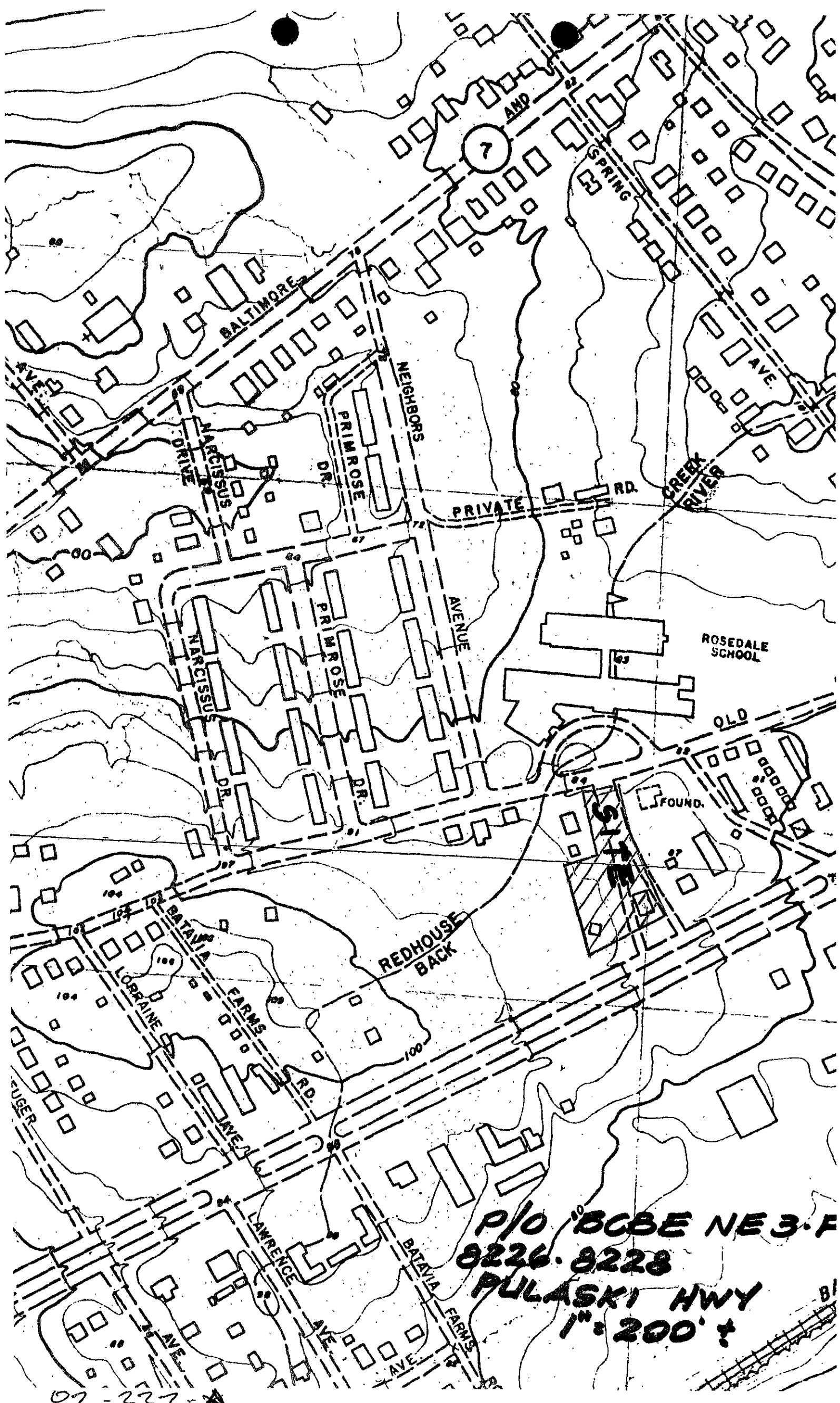
THE BALTIMORE COUNTY COUNCIL

OCTOBER 8, 1996

Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

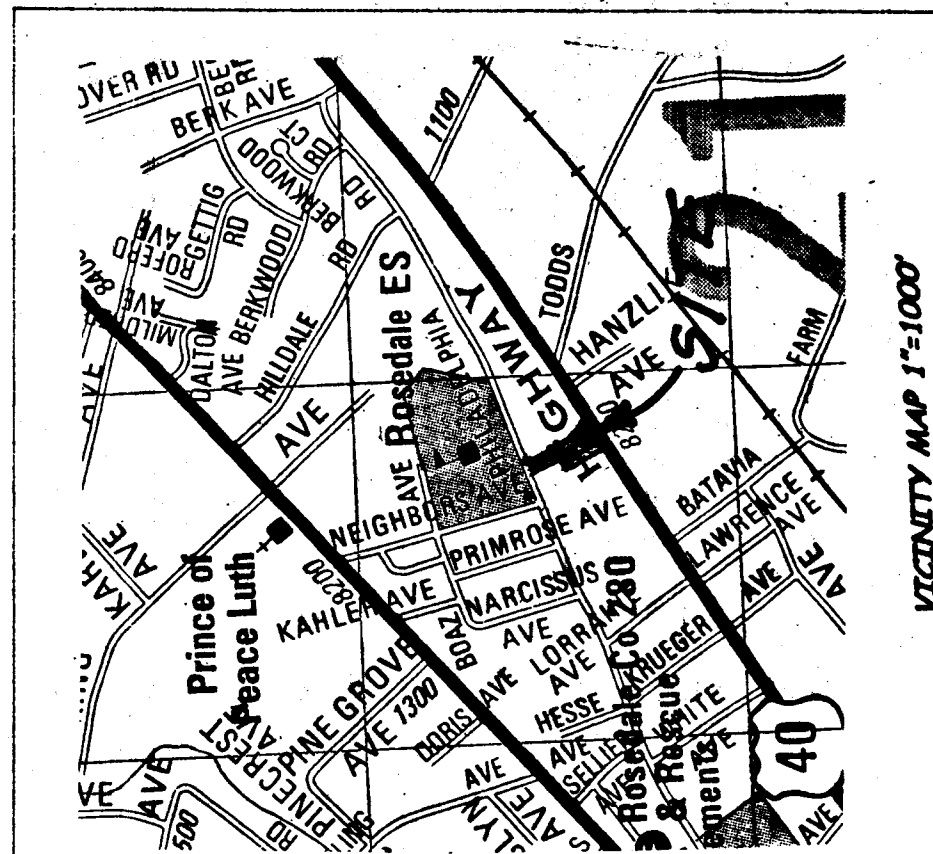
02-222-A

BALT
OFFICE OF



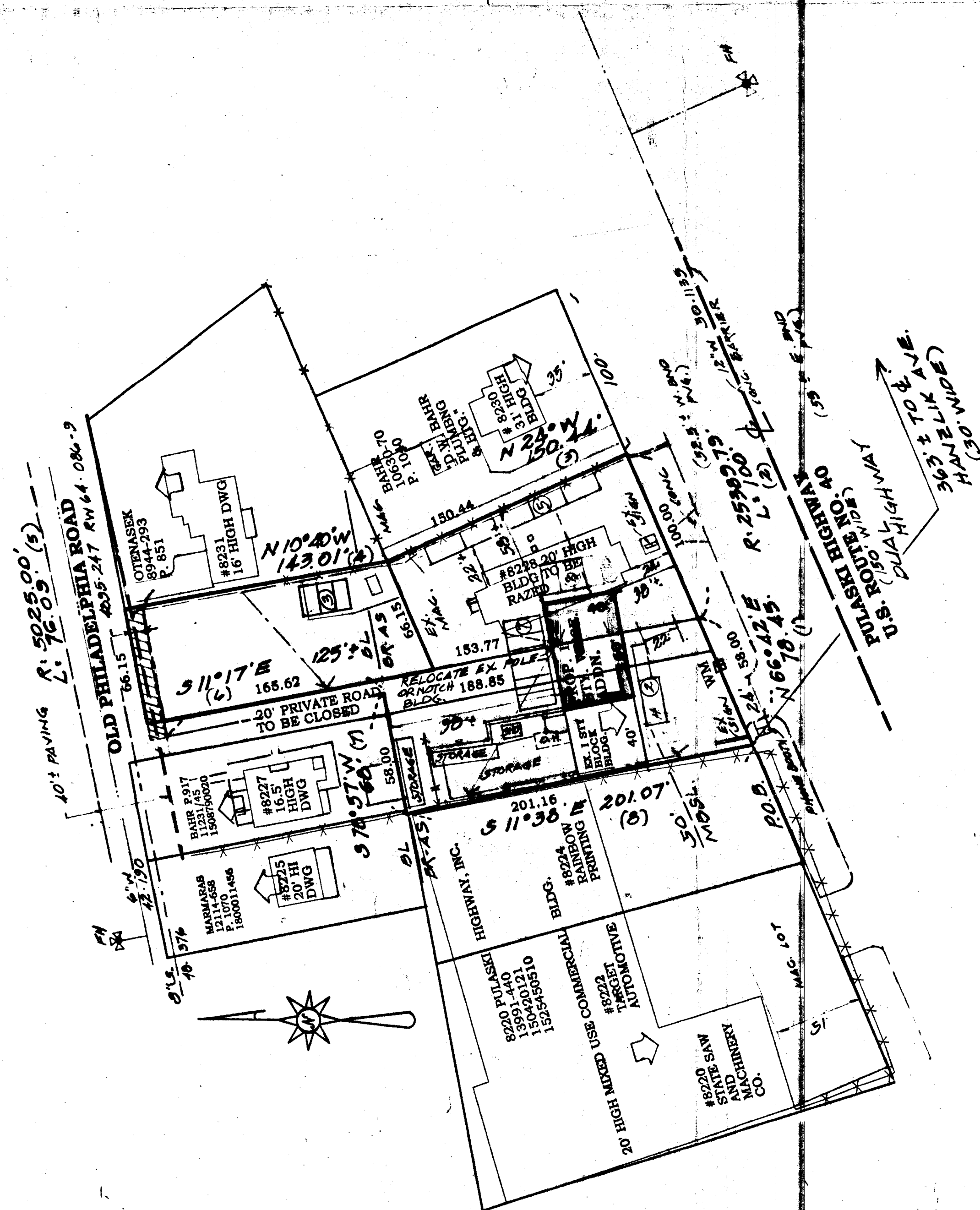
P/O BCBE NE 3.F
8226-8228
PULASKI HWY
1/2 200

5135 82-14
74-148 8220-22
1047



OWNERSHIP:
P. 802
PAUL L KING
PAUL L KING)
DEED REFERENCE: 1964/704
Q22A - PULLART, NW 1/4,
CALHOUN CO., MISSISSIPPI
MONEY INFORMATION:
TAX MAP 80 GRID 24 PARCELS A & B02
ACT. NO. 1915934-04 & 15934-05
1. NAME OF PARTY OR PARTIES TO BE NOTICED: PAUL L KING & SON, INC.
2. ADDRESS AND PHONE NUMBER OF PARTY OR PARTIES TO BE NOTICED: 100 S. WILSON ST. JACKSON, MS 39201
3. ADDRESS AND PHONE NUMBER OF PARTY OR PARTIES TO BE NOTICED: 100 S. WILSON ST. JACKSON, MS 39201
4. STATE OF SITE AND SURROUNDING PROPERTIES IS 18-A-45
5. ZONE LINE OUTSIDE CITY OF PELHAM LAWS PER F.L.M. NO. 40010 Q10 &
6. SETBACKS REQUIRED FOR THE PROPERTY ARE 10' FRONT, 10' SIDE, 10' REAR
7. SITE CANNOT QUALIFY FOR 40' LIMITED EXEMPTION PER DAC # 031010
(MARCH 23, 2001 LETTER)
8. PAY \$ 4K @ 0.0003500 = \$ 1400.00
9. PARKING REQ. DETAIL 200 SP - 20 SP
10. ~~STAMP HERE~~
~~STAMP HERE~~

PROPOSED PARKING: 200 SP INCL. 1 NCP
II. NO KNOWN PRIOR ZONING HEARINGS.



J.S. DALLAS, INC.
Surveying & Engineering
13523 Long Green Pike
Baldwin, MD. 21013
(410) 817-4600

SITE PLAN TO ACCOMPANY VARIANCE PETITION
PROPOSED ~~RECONSTRUCTION~~ ADDITION TO KENNESA LIQUORS
8226-8228 PULASKI HIGHWAY
 19th E. DUST.
 1st S 50'
 9th CONC. DUST.
 BALD. CO. MD.
 JUNE 22, 2001
 REY. 102501
 11-20-01

LA #00-820

QZ-222-A

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County

I, or we, Jacob & Carrie Hanzlik legal owner... of the property situated on the north side of Pulaski Highway, 15th District of Baltimore County, beginning 273 feet west of Louis Lane, thence westerly, on the north side of Pulaski Highway 100 feet to a 20 foot rightofway, thence northerly, on the east side of said rightofway, 119.39 feet to the south side of Old Philadelphia Road, thence easterly on the south side of Old Philadelphia Road, 64.15 feet and thence southerly 315.06 feet to beginning.

hereby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an "A" Res zone to an "E" Comm zone.

Reasons for Re-Classification: TO IMPROVED COMM USE

Size and height of building: front feet; depth feet; height feet.

Front and side set backs of building from street lines: front feet; side feet.

Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification, advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Jacob Hanzlik
Carrie M. Hanzlik
Legal Owner

Address 8219 Old Phila Rd
Balto. 6 Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of April 19 20, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County," in a new paper of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held in the office of the Zoning Commissioner of Baltimore County, at the Record Building, Baltimore County, on the 11th day of April 19 20 at 11 o'clock A.M.

RECEIVED

Zoning Commissioner of Baltimore County

JACOB AND CARRIE M. HANZLIK
N S Pulaski Highway 2731 N Todd's Lane
15th Dist.

H 25563

Todd Lane

Old Shula Rd

Chushin Highway

164.62

150.44

51.97

319.38

20 Foot Road
Hanglek Lane

100